

HONORABLE JUDGE ROBERT S. LASNIK

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

)	
EMMENTALY BUSINESS INC., a Panama)	
Company)	
Plaintiff,)	
)	AT LAW AND IN ADMIRALTY
v.)	
)	No. C12-464RSL
SINORICHES GLOBAL LTD., a dissolved)	
BVI company; and SINORICHES)	ORDER PERMITTING DEPOSIT OF
ENTERPRISES CO., LIMITED, a Hong)	FUNDS WITH COURT AND RELEASING
Kong company)	ATTACHMENT AND ARREST
)	
Defendants.)	
)	

WHEREAS this Court has issued process of maritime attachment and garnishment and a warrant of arrest against certain fuel oil on board the vessel DEEP SEAS now in this District in the amount claimed in the Amended Verified Complaint; and

WHEREAS the defendant, Sinoriches Enterprises Co., Limited ("Defendant"), without prejudice to its position regarding said arrest or attachment or claims and allegations in the Complaint, seeks to provide security as demanded by plaintiff, Emmentaly Business Inc. ("Plaintiff"), to obtain immediate release of the fuel oil from arrest and attachment permitting the vessel to sail; and

ORDER PERMITTING DEPOSIT OF FUNDS AND
RELEASING ATTACHMENT AND ARREST

1 WHEREAS the undersigned attorney James F. Whitehead has been authorized by
2 Sinoriches Enterprises Co., Limited, to deposit with the Court funds in the amount of
3 \$650,000.00 as security for Plaintiff's claims, which amount is acceptable to Plaintiff at the
4 time of entry of this order;
5

6 WHEREAS the Plaintiff and Defendant have agreed to an immediate release of the
7 fuel oil from arrest and attachment allowing the vessel to sail on deposit with the Court of
8 the aforesaid funds, without waiver by either party of any claims and defenses concerning
9 the merits of the underlying claims or issues regarding the amount of security;
10

11 IT IS HEREBY ORDERED:
12

13 1. Defendant will be permitted and required to deposit forthwith a cashier's check, or
14 other form of payment agreeable to Plaintiff, with the Court, in the amount of \$650,000.00,
15 pursuant to the terms of FRCP 67(a). Such security shall remain with the Court, and cannot
16 be removed by either party, without a Court order and or judgment.
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18 2. After the security has been accepted by the Court, the fuel oil will be released
19 from attachment and arrest, and the U.S. Marshal's office is hereby directed to take all action
20 necessary to allow the vessel to clear customs and sail forthwith.
21

22 3. The foregoing is without prejudice to any claims or defenses of the parties,
23 including the plaintiff's right to obtain a judgment for more than the secured amount, and the
24 right of the defendant to challenge the arrest and attachment and is without prejudice to
25 either party as to the remaining issues in this case.
26
27
28

ORDER PERMITTING DEPOSIT OF FUNDS AND
RELEASING ATTACHMENT AND ARREST

1 DATED this 30th day of March, 2012.

2 

3 Robert S. Lasnik
4 United States District Judge

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6
7 We consent to the entry of the foregoing order:

8
9 HARRIS MOURE PLLC
10 Attorneys for Plaintiff,
11 Emmmentaly Business Inc.

12 By: /s/Charles Moure

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20 Law Office of James F. Whitehead
21 Attorney for Defendant,
22 Sinoriches Enterprises Co., Limited

23 By: /s/James Whitehead

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ORDER PERMITTING DEPOSIT OF FUNDS AND
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